

December 6, 2007

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Kimberly E. De Hope
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525 Market St., 26th Floor
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Re: Delgado v. Williams Lea, Inc.
C-07-03526 JSW - MED

Dear Counsel:

This will confirm that we have scheduled the mediation in this case for February 1, 2008. We will meet at my offices at CDHK, 727 Sansome St., San Francisco, CA. 94111, beginning at 9:30 am. We agreed to keep the whole day available to allow the mediation to continue as long as it is being productive.

Please make sure that the written statements described in ADR L.R. 6-7 are exchanged and in my office by Jan. 22, 2008, 10 days before the mediation. Please include any key documents you feel I should read. If you think it would be helpful to our mediation, I also invite you to submit to me--but not exchange--confidential statements relating, for example, to obstacles to or options for settlement.

Also, please remember to arrange for your clients' attendance. As we discussed, Plaintiff will appear as plaintiff's representative and defense counsel will provide us with the name(s) of the client(s) who will appear as defendant's representatives. If there is insurance coverage, a representative of the insurance company must also attend.

Please prepare for the mediation by discussing each of the following items with your clients:

- ▶ clients' interests, not just positions, and how these interests could be met;
- ▶ other side's interests, and how these could be met;
- ▶ best and worst alternatives to a negotiated settlement;
- ▶ strengths and weaknesses of case; and
- ▶ estimated budget to litigate the case through trial.

As we discussed, under ADR L.R. 6-3(b) I will donate my preparation time and the first four hours of the mediation. If the case has not resolved and you all agree to continue, I will charge the court-set rate of \$200 per hour for the next four hours. After eight hours of session time, I will charge my hourly rate of \$450.

I look forward to working with you and your clients.

Very truly yours,

JoAnne Dellaverson

Cc: Clerk's Office – ADR Unit
Alice Fiel